

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND  
(SOUTHERN DIVISION)

MARILYN GILLESPIE

Plaintiff

v.

IVAN MELYAKOV,

Defendant

Civil No. WGC 09-CV-00169

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**STATUS REPORT**

Pursuant to the July 22, 2009 Amended Scheduling Order and in accordance with Local Rules, the Plaintiff and Defendants, by and through counsel, hereby submit the following status report.

1. Discovery has not yet been completed on this matter.
2. There are no motions presently pending. However, Plaintiff intends to file a motion to increase ad damnum in accordance with Fed. R. of Civ. P. 15, Amended and Supplemental Pleadings.
3. At present time, neither party intends to file a dispositive pretrial motion. Defendants stipulate to liability. Defendants stipulate that Plaintiff was not contributorily negligent.
4. It is anticipated this case will be tried by a jury and last approximately three (3) days.
5. All Parties participated in a mediation before the Honorable Judge Jillyn K. Schulze, Magistrate Judge of the United States District Court on July 23, 2009 at 10:30am in chambers.
6. Although the parties have previously completed an ADR conference with Magistrate Judge Jillyn K. Schulze, the Parties may be involved in a second mediation at the conclusion of discovery.
7. All Parties conferred and unanimously consented, pursuant to 28 U.S.C. § 636(c), to

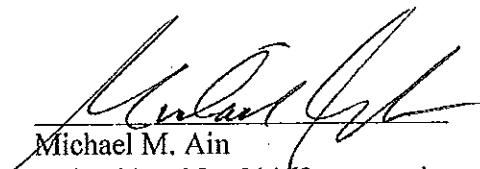
have a U.S. Magistrate Judge conduct any further proceeding in this case, either before or after the resolution of any dispositive pretrial motion, including jury trial and entry of final judgment.

8. The parties request additional time to complete discovery as Plaintiff has not received all of Defendants' experts' reports. Plaintiff is in receipt of Dr. Cirincione's report but not that of Dr. Smoller. Dr. Cirincione is an orthopedist and Dr. Smoller is a psychiatrist. Ms. Sampeck's interview is scheduled for November 5, 2009. Ms. Sampeck is a vocational rehabilitation specialist.

Ms. Gillespie, who recently moved here from Santa Fe, N.M., is seeking physicians in this area for treatment of her injuries. She has been evaluated by Dr. Joan Kinlan, a psychiatrist. Her report has not been received by Plaintiff's counsel. She is also seeking treatment for her symptoms and disabilities including thoracic outlet syndrome. It is expected that defense counsel will seek to obtain the deposition of Dr. Kinlan.

9. Defendant anticipates the likelihood of discovery motions in that (a) the plaintiff, who moved from Bethesda, Maryland to Santa Fe, New Mexico and has now returned to this area has expressed intentions at her deposition in July to adduce evidence and/or produce additional medical reports; (b) the plaintiff, who is claiming lost earnings and related expenses in excess of \$900,000, has agreed to produce the annual Social Security Administration statement (<http://www.ssa.gov/mystatement>) requested by defense counsel (she objects to providing joint tax returns filed by her and her husband, but has provided plaintiff's W-2 Statements); and (c) the depositions of the plaintiff's spouse and family member witnesses, as well as potential expert depositions need to be completed.

Respectfully submitted,



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